

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

YONG-CHAE JEONG

Serial No.: *to be assigned*

Examiner: *to be assigned*

Filed: 29 September 2003

Art Unit: *to be assigned*

For: METHOD AND DEVICE FOR SENSING THE QUANTITY OF INK
REMAINING IN AN INKJET PRINTER

PETITION UNDER 37 C.F.R. §1.181

Mail Stop Issue Fee

Commissioner for Patents

P.O.Box 1450

Alexandria, VA 22313-1450

Sir:

Applicant respectfully petitions from the incorrect reason provided in Applicant's patent application, Serial No. 09/767,865 filed on the 24th of January 2001, by the Initial Patent Examination Division to require Applicant to provide the U.S. Patent & Trademark Office with the substitute formal drawings in compliance with 37 C.F.R. §1.84(b), and as reasons therefor states that:

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Date: 9/29/03

I.D.: REB/kf

STATEMENT OF FACTS

1. On 24 January 2001, Applicant filed a new application including the specification, claims 1 through 42, and the Abstract, for the above-captioned invention based on two Korean priority application Nos. 3254/2000 and 60519/2000 filed in the Korean Industrial Property Office on 24 January 2000 and 14 October 2000, respectively. Formal drawings, Figs. 1 through 11 (6 sheets) accompanied the aforesaid new application together with the executed Declaration, check #38078 in the amount of \$1,186.00 as the filing fee. A copy of the postcard receipt dated 24 January 2001 attesting to the filing of the aforesaid items is attached herewith.

2. On or about 6 March 2001, Applicant's undersigned attorney received a Notice to File Corrected Application Papers dated 2 March 2001 for the above-captioned application. The Notice states that "Substitute drawings in compliance with 37 C.F.R. §1.84" must be timely submitted to avoid abandonment. The Notice further states that the formal drawings originally submitted to the PTO include "photographs of the invention subject matter that appear capable of illustration and which are illegible after scanning (see 37 CFR 1.84(b)).

REMARKS

As is clearly seen from the attached formal drawings as filed, there is no photograph of the invention subject matter included in the application. All of the drawings as originally filed (Figs. 1 through 11) were drawn by a draftsman using a computer software program.




RELIEF REQUESTED

Accordingly, the Commissioner is respectfully requested to:

- A. Strike the requirement of submitting substitute formal drawings in compliance with 37 C.F.R. § 1.84 relative to the formal drawings as filed (Figs. 1 through 11, 6 sheets) for the above-captioned application;
- B. Forbear raising any issue associated with non-existent figures 12 through 16 mentioned in the Brief Description of the Drawings;
- C. Enter Applicant's Preliminary Amendment on page 6 of the specification; and
- D. Grant such other and further relief as just may require.

Respectfully submitted,



Robert E. Bushnell
Attorney for the Applicant
Registration No.: 27,774

1522 "K" Street N.W., Suite 300
Washington, D.C. 20005
(202) 408-9040

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